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COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-ninth session
Agenda item 3 (a)

COMPREHENSIVE EXAMINATION OF THEMATIC ISSUES RELATING
TO THE ELIMINATION OF RACIAL DISCRIMINATION:

SITUATION OF MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES

Mrs. Gwanmesia, Mr. Khalifa, Mr. Fix Zamudio,
Mr. Maxim, Mr. Mehedi, Mrs. Warzazi, Mr. Weissbrodt
and Mr. Yimer: draft resolution

1997/... Situation of migrant workers and members of their families

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling Commission on Human Rights resolutions 1997/13 and 1997/15, dated 3 April 1997, and its resolution 1996/10 of 23 August 1996,

Reaffirming that acts of violence against migrant workers, both men and women, constitute flagrant violations of the international instruments relating to human rights, and in particular the Convention on the Elimination of All Forms of Discrimination against Women,

Convinced that the implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families will contribute to the improvement of the situation of migrant workers and to the protection of their rights,

Sharing the opinion of the Commission on Human Rights on the situation of vulnerability in which migrants frequently find themselves owing, among other things, to their absence from their State of origin and to the difficulties they encounter because of differences of languages, customs and culture,

Taking note with interest of the recommendations adopted by the seminar on immigration, racism and racial discrimination,

1. Affirms that immigration is by no means a burden but rather a phenomenon whose effects are rewarding for receiving societies in economic, social and cultural terms;

2. Considers that if the geographical dynamics of international migratory movements are steadily increasing, it is because poverty is growing in a large number of developing countries and the use of foreign labour in the developed countries is continuing despite claims that there is a crisis;

3. Regrets the contradiction which exists between the free movement of goods, the liberalization of trade in services and financial transactions encouraged by the transnational corporations and international financial institutions, and the increasingly draconian restrictions imposed on the movement of individuals;

4. Again condemns acts of violence resulting from racism, racial discrimination and xenophobia directed against migrant workers;

5. Calls on the competent authorities of receiving countries to pay particular attention to the protection of women migrant workers, who are confronted with dual discrimination as women and migrant workers;

6. Takes note with satisfaction of the positive measures taken by the European Union to give practical substance to the Year against Sex Tourism which it has proclaimed, and the measures decided by several European countries with the aim of legalizing certain situations whose precarious character seriously affects migrant workers and members of their families;

7. Appeals to the States concerned by immigration to study the possibility of granting migrant workers dual nationality which would constitute a positive factor for integration, with due respect for cultural identity, and also protection against the evils of racial discrimination;

8. Affirms that the promulgation and/or reinforcement by Governments of effective legislation against racism and racial discrimination would guarantee the protection of migrant workers and members of their families;

9. Welcomes the establishment by the Commission on Human Rights of a working group on migrants and human rights;

10. Considers that it would be useful, on the occasion of the establishment of policies aimed at protecting the rights of migrant workers, for Governments to be able to benefit from the experience of representatives of migrant workers' organizations;

11. Is convinced that an information campaign on the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families would contribute to its ratification;

12. Again appeals to all Governments to ratify the Convention in order that it may be put into effect as soon as possible;

13. Decides to continue to consider this item at its next session.